

**Reprint  
as at 1 November 2013**



**Privacy Amendment Act 2011**

Public Act 2011 No 44  
Date of assent 22 July 2011  
Commencement see section 2

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**The Parliament of New Zealand enacts as follows:**

- 1 Title**  
This Act is the Privacy Amendment Act 2011.

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**Note**

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this reprint.

Note 4 at the end of this reprint provides a list of the amendments incorporated.

**This Act is administered by the Ministry of Justice.**

## 2 Commencement

This Act comes into force on a date appointed by the Governor-General by Order in Council, and 1 or more orders may be made bringing different provisions into force on different dates.

Section 2: sections 3 and 4 brought into force, on 13 February 2012, by the Privacy Amendment Act 2011 Commencement Order 2011 (SR 2011/391).

Section 2: section 5 and the Schedule brought into force, on 1 November 2013, by the Privacy Amendment Act 2011 Commencement Order 2013 (SR 2013/416).

## 3 Principal Act amended

This Act amends the Privacy Act 1993.

## 4 Notice of adverse action proposed

- (1) Section 103(5) is amended by repealing the definition of **fine** and substituting the following definition:

“**fine** means—

“(a) a fine within the meaning of section 79 of the Summary Proceedings Act 1957:

“(b) a fine to which section 19 of the Crimes Act 1961 applies:

“(c) a fine to which section 43 or 45 of the Misuse of Drugs Amendment Act 1978 applies:

“(d) a fine to which section 28I of the District Courts Act 1947 applies:

“(e) any amount payable under section 138A(1) of the Sentencing Act 2002”.

- (2) Section 103(5) is amended by repealing the definition of **reparation**.

- (3) Section 103(5) is amended by inserting the following definition in its appropriate alphabetical order:

“**amount of reparation** has the same meaning as in section 79 of the Summary Proceedings Act 1957”.

## 5 Schedule 5 amended

Schedule 5 is amended in the manner indicated in the Schedule.

**Schedule**  
**Amendment to Schedule 5 of Privacy Act**  
**1993**

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Insert after the item relating to enforcement of fines and other orders under the heading *Ministry of Justice records*:

Driver licence stop orders	Particulars of each order served, cancelled, or terminated, the full name, full address, telephone number, driver licence number, and date of birth of the person on whom the order was served; the date and time when the order was served on the person, the date of the cancellation or termination of the order, and any amendments required, as at the date of service, cancellation, or termination, to the person's full address and telephone number	New Zealand Transport Agency (access is limited to recording, on the Driver Licence Register, the service, cancellation, or termination of an order and any amendments required to the person's full address and telephone number, and to replacing a driver licence following the cancellation or termination of the order)
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## Reprints notes

### **1** *General*

This is a reprint of the Privacy Amendment Act 2011 that incorporates all the amendments to that Act as at the date of the last amendment to it.

### **2** *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, will have the status of an official version once issued by the Chief Parliamentary Counsel under section 17(1) of that Act.

### **3** *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

### **4** *Amendments incorporated in this reprint*

Privacy Amendment Act 2011 Commencement Order 2013 (SR 2013/416)  
Privacy Amendment Act 2011 Commencement Order 2011 (SR 2011/391)

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